

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 THOMAS WILSON BAXTER,) NO. CV 11-5283-PA (MAN)
12 Petitioner,)
13 v.) ORDER ACCEPTING FINDINGS AND
14 JAMES D. HARTLEY,) RECOMMENDATIONS OF UNITED STATES
15 Respondent.) MAGISTRATE JUDGE
16 _____)
17

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition
19 for Writ of Habeas Corpus ("Petition"), all of the records herein, and
20 the Report and Recommendation of United States Magistrate Judge
21 ("Report"). The time for filing Objections to the Report has passed,
22 and no Objections have been filed. The Court accepts the findings and
23 recommendations set forth in the Report.
24

25 IT IS ORDERED that: (1) Respondent's motion to dismiss the
26 Petition is granted on the ground that the Petition is fully
27 unexhausted; and (2) Judgment shall be entered dismissing this action,
28 without prejudice, for failure to exhaust available state remedies.

1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order and
2 the Judgment herein on the parties.

3
4 LET JUDGMENT BE ENTERED ACCORDINGLY.

5
6 DATED: November 18, 2011



PERCY ANDERSON
UNITED STATES DISTRICT JUDGE